ATTORNEY DOCKET NO. 07082.0013U1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) ONG) U.S. Application No. 10/506,739) Filing Date: April 14, 2005) For: ELECTRONIC TRANSFER SYSTEM)	Art Unit: 3692 Examiner: Robinson, Kito R. Confirmation No. 5266

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Ballard Spahr Andrews & Ingersoll, LLP
Customer Number 23859

Sir:

Pursuant to the requirements of 37 C.F.R. § 1.56, submitted herewith on the

accompanying Information Disclosure Statement List is a listing of documents known to

Applicants and/or their attorneys. In accordance with 37 C.F.R. §1.98(a)(2), copies of any cited

U.S. patent or U.S. patent application publication documents are not enclosed. Copies of any

cited foreign patent document and/or any non-patent publication are enclosed.

Applicants would like to bring to the attention of the Examiner the existence of the non-

U.S. patent application identified below.

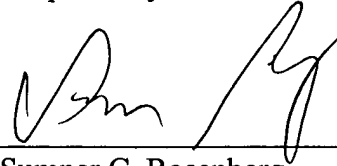|	Application No.	Country	Date Filed	First Inventor
1.	PA/a/2004/008599	Mexico	03 Sept 2004	Yong King ONG

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Pursuant to 37 C.F.R. §1.98(a)(2)(iv), Applicants now submit copies of the enclosed Office Actions, Amendments, Responses, and other correspondence from the prosecution of some or all applications listed above. A list of the correspondence is provided in Appendix A.

This Information Disclosure Statement is believed to be filed in a timely manner pursuant to 37 C.F.R. § 1.97(b)(3), in that a first Office Action on the merits of the present patent application has not yet been mailed to Applicants.

Consideration of the cited documents and making the same of record in the prosecution of the above-referenced application are respectfully requested.

No fee is believed due; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.
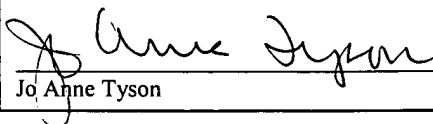
Respectfully submitted,

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Information Disclosure Statement Appendix A

pursuant to 37 C.F.R. § 1.98(a)(1)-(2) and (b)(3)-(4) for
APPLICATION NO.10/506,739 (ATTORNEY DOCKET NO.: 07082.0013U1)

Examiner's Initial	Cite No.	Country	Application No.	Application Filing Date	Applicant	Document	Date of Document
	1	Mexico	PA/a/2004/008599	03 Sept 2004	ONG	Official Action	13 Feb 2009

ATTENTION!!! ATTENTION!!! ATTENTION!!!

The attached document is provided as part of **APPENDIX A**, which is included as part of an **Information Disclosure Statement** for the following U.S. patent application.

Application No.: 10/502,495

Filing Date: June 24, 2005

For: DERMAL APPLICATION SYSTEM FOR AMINOLEVULINIC ACID DERIVATIVES

Inventor: Lee et al.

Art Unit: 16125

Examiner: Maewall, S.

ATTORNEY DOCKET NO. 21127.0008U1

→ This document is a **COPY** of the original prosecution document from a foreign application

→ This document is **NOT** being submitted as a separate or original filing

→ Please **DO NOT RECORD** or **FILE** this document in the Application identified therein, and please do not charge any fees associated therewith

→ This document is being submitted **SOLELY** as part of an **INFORMATION DISCLOSURE STATEMENT** for **APPLICATION No. 11/988,511.**

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MEMO CONCERNING THE OFFICIAL
ACTION REPORTED IN THE COVERING LETTER
Mexican Patent Appln. No. PA/a/2004/008599

The in-depth examination of this application was performed on the basis of:

    a) Specification. Pages 1 to 47, as originally filed;

    b) Claims. 1 to 45, as filed with the amendment of February 18, 2008;

    c) Drawings. Figures 1 to 16, as originally filed.

A) Your response dated July 2, 2008, was analyzed, in which the Applicant argues that this patent application does not refer to a business method, nevertheless, as the Applicant accepts in said response, "the claims 1-44 refer to a method of conducting data transfers and verification for facilitating an on-line transaction", which pertains to the field of methods for carrying out businesses (Article 19, fraction III of the Mexican Law of Industrial Property, LPI). Besides, in the specification it can be noticed that what is to be protected is a process for carrying out an electronic transaction with devices known in the state of the art, because the electronic devices nor the systems in which they are implemented are novel, rather it is a method for carrying out transferences.

In response it is also submitted that technical processes exist in the application, such as creating a data relation, sending and receiving identifications in different electronic devices, verifying the validity of one identification, sending a message to the computer system, etc. Even though all that mentioned in your answer is technical, these are just evident solutions that a technician skilled in the art would consider necessary in order to implement the steps for carrying out data transferal and verification in order to provide an on-line transaction, which is a business method, where said method is implemented by means of common technical features (for example, US6000832, CA 2194015) and said implementation does not produce a surprising result for a technician skilled in the art, therefore, the application does not have the novel technical features which can be patentable (Article 12, Rules for the Application Filing before the IMPI).

Claim 45 is also considered, in which the Applicant argues that *the system of claim 45 is technical and it achieves an enhanced process in order to verify the validity of an application after a message which begins the process.* Particularly, this is accomplished **by the processor, which is configured to:**

"*generating the... identification, creating the data relation, sending the... identification to an electronic device of the registered user, receiving the identification of the electronic device of the user, verifying the validity of the identification; deactivating the additional use of the identification, validating the identification and sending a ... message to a ... computer system and sending a confirmation to the electronic device*".

Certainly, the technical features of the processor are not claimed, rather what is claimed are the functions of the processor (method for carrying out an on-line transaction) and as it can be appreciated, all the abovementioned clearly belongs to the field of business methods implemented in known technological means.

Although it is mentioned in your response that the application claims have been granted as patents in other jurisdictions and countries, said claims **do not comply with the Mexican Law**, therefore, they are not susceptible to patentability in Mexico.

Therefore, the above requirement is still in force as follows:

From claims 1-45 it can be deduced that they only claim features of a business method implemented in a communication system, which provides "a *method for carrying out data transferal and verification* in order to provide a line transaction", said business method is clear in the claims set which describes: "The present invention consists in an electronic transferal system and a method for carrying out on-line purchases... According to the present invention, a method for carrying out an on-line transaction is provided..." therefore, the abovementioned claims of the present application are considered **excluded of patentability Article 19, fraction III of LPI**, in that they are written based only on the features of a business method and with technological features which are obvious.

B) The new claims 30-45 do not imply inventive step, according to Article 16 of LPI, due to that they claim "*a method for carrying out data transferal and verification in order to provide an on-line transaction*", which is only **implemented in technological means**, already known; computing means in order to create a data relation, several electronic devices for sending and receiving identifications, means for verifying the validity of an identification, means for sending a message to a computer system, processors, telecommunications networks, etc. All these refer to common technical features normally used and well known in their functionality (for example, US6000832, CA 2194015). What is supposed to be novel in the claims is "a method for carrying out data transferal and verification in order to provide an on line transaction", therefore, a technical solution cannot be determined in response to a technical problem contained within the claims (Article 28, fraction IV), even though the only solution provided by the invention is a method <u>for providing an on-line transaction"</u> (method for carrying out businesses), when the implementation of on line transferals include the use of common technical features, such as computing means for creating a data relation, several electronic devices for sending and receiving identifications, means for verifying the validity of an identification, means for sending a message to a computer system, processors, telecommunications networks, etc. (whose functions which are well known by a technician skilled in the art) therefore, it cannot be considered as inventive due to that there is no technical contribution.

Likewise, there seems to be no subject matter within the present application that can be susceptible of patentability, in that what is supposed to be novel in the method for carrying out an on-line transaction and in the technological devices is already known.

The clarifications and/or modifications to be submitted must not contain any elements not appearing in the specification as originally filed.